MINUTES OF THE BOARD OF POLICE COMMISSIONERS MEETING TUESDAY, MAY 22, 2012

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, May 22, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri.

PRESENT:

Commissioner Patrick McInerney, President Commissioner Alvin L. Brooks, Vice President Commissioner Angela Wasson-Hunt, Treasurer Commissioner Lisa T. Pelofsky, Member Darryl Forté, Chief of Police Mr. David V. Kenner, Secretary/Attorney

NOT PRESENT:

Mayor Sylvester "Sly" James, Jr., Member

This meeting was called to order at 9:05 a.m. by Commissioner McInerney. The invocation was provided by Pastor Dennis Dewey.

 Mr. Rick Pretz. Mr. Pretz thanked and commended the homicide detectives and everyone involved with the murder investigation of his daughter, Ms. Renee Pernice who was murdered by her husband.

Renee's mother, Ms. Linda Lockwood, presented a plaque on behalf of the family to Chief Forté.

Commissioner McInerney said he appreciated the fact that Mr. Pretz and his family took the time to commend the Department members involved in the investigation.

2. <u>Election of officers</u>. A motion was made by Commissioner Wasson-Hunt nominating Commissioner Pelofsky as Board President; Commissioner Alvin

Brooks will remain in the position of Vice President; and Commissioner McInerney as member. Commissioner Wasson-Hunt will remain in the position of Treasurer. Commissioner Brooks seconded the motion.

Commissioner Brooks said traditionally the Vice President would move into the position of President, however, his wife is ill and he spends a good deal of time with her. He said he fully supports the nomination of Commissioner Pelofsky as Board President. The vote was 4-0 in favor.

The Board presented a plaque to Commissioner McInerney for his two terms as Board President, thanking him for his dedication and leadership through a number of important transitions.

3. Mr. Gary White, City Auditor. Mr. White presented the monthly status report dated May 4, 2012. He said his office has issued the Regulated Industries Underage Liquor Sales Inspection Audit. He provided a one page summary of this audit.

Mr. White said the planning work on the Police Video Records Audit has been completed and a draft scope statement has been prepared for presentation to Chief Forté. It should be ready for the Board's review at the next meeting.

4. <u>Councilman John Sharp</u>. Councilman Sharp said Captain Caron and Sergeant Gentry recently attended the Public Safety and Emergency Services committee meeting and they both mentioned instances of prowling at residences during the day. He said the current prowling ordinance in Kansas City only prohibits prowling after dark. Councilman Sharp said a revised ordinance that

will prohibit prowling anytime will be presented to the Public Safety and Emergency Services Committee on May 23, 2012.

Councilman Sharp thanked the Board for making the command staff available to attend the Public Safety and Emergency Services Committee meetings. He said the revised ordinance on prowling is a direct result of police department impact at the meetings.

As to the audit report regarding Regulated Industries, Councilman Sharp noted that both the Council and the Police Department disagreed with the recommendation that the Police Department handle all of the investigations of the sale of alcohol to minors.

Councilman Sharp said he was pleased with the results of the most recent Red Light Camera Report.

Ms. Sarah Boyd. Ms. Boyd, Public Relations Specialist, discussed the Department's social media efforts. She said her presentation was not about the use of social media as an investigative tool, but rather the use of social media to build relationships, communicate information, to humanize police officers and make them accessible to the public. The Department has gained some notoriety for the social media efforts and Ms. Boyd has been contacted by other police agencies that have interest in implementing their own social media sites. The sites used by KCPD are as follows:

www.kcpdchief.blogspot.com, which averages 200 views per day. www.facebook.com/kcpolice, has lots of interactive response.

<u>www.twitter.com/kcpolice</u>, useful for missing persons; has 11,000 followers, and it is the fifth most popular police department Twitter account. A "tweet-along" was held one evening which resulted in 1,000 new followers.

www.youtube.com/user/kansascitypolice, 450,000 views.

www.pinterest.com/kcpolice, serves as a bulletin board with photos, etc.

<u>www.nixle.com</u>, 4,200 users, provides three levels of text alerts to notify followers of incidents in the community.

Ms. Boyd said that at times citizens feel more comfortable asking questions via social media sites as opposed to asking a uniformed officer.

The Board commended Ms. Boyd and the Media Unit for their excellent use of social media.

6. Ms. I. Pearl Fain. Ms. Fain presented the monthly statistical report for April 2012. This report is maintained in the Office of Community Complaints.
OCC received a total of 26 complaints for the month of April 2012, and 12 of these complaints were submitted to the Internal Affairs Unit for Investigation.

Ms. Fain provided an explanation of the increase in excessive force complaints. She said the majority of these were calls for service related to domestic violence issues. Only three of the 11 were in hot spots. These complaints are being investigated. For the most recent month the reports have decreased.

7. <u>Public comments</u>.

Mr. Tracy Barrow was unhappy about the outcome of his OCC complaint.

He has addressed the Board with this issue previously. Commissioner

McInerney stated that he and Mr. Barrow have already discussed this matter in great detail and offered to discuss this matter with him later.

Mr. Pat Clarke, with the People Action Committee (PAC 20), said the police department has done a great job of putting together a program designed to improve communication between the community and the police department. It is working, he said. Mr. Clarke said a program called, "Return of the Daddy," will be held on June 30, 2012, at 41st and Prospect with the goal of bringing fathers back to the home. Chief Forté commended and thanked Mr. Clarke for his help to the community and support of the police department, and his assistance in recruiting candidates for the department.

Mr. Lamar Vickers, President of KCOG (Keeping Communities on Guard), thanked Chief Forté and Mr. Doug Weishar for allowing him to meet with them. He said his organization is looking forward to being involved with the police department Community Support Division to help bridge the gap in the community. Chief Forté said he spoke with Mr. Vickers who expressed his appreciation for the Community Support Division. The Chief thanked Mr. Vickers for his support of the community and the police department.

8. <u>City Architects report.</u> Deputy Chief Gallagher provided the Board with an update on the current construction and renovation projects.

Deputy Chief Gallagher and Major Lanningham presented a drawing of the new EPD/Crime Lab campus. He said the entire front view of the campus will be accessible to the community and the back will be private employee entrances.

The building will have geothermal heating and cooling systems and should achieve LEED Gold status.

Commissioner Wasson-Hunt asked if the employees will have underground parking. Deputy Chief Gallagher said underground parking is available for the crime scene vans, etc., but not for all of the employees. The funding is not available for additional underground parking. He said the employee parking lot will be safe and the lot will be fenced and is somewhat sheltered.

Deputy Chief Gallagher said the EPD campus will blend well with the community. Commissioner Brooks asked about the completion timeline for purchasing homes in the area of the new EPD campus. Deputy Chief Gallagher said about 80 percent of the homes have been purchased. He said there has been some bad faith bargaining with a couple of the homeowners who agreed on a price then demanded more money.

With regard to the new SPD/SOD campus, the front doors will be installed next week.

9. <u>Chief Darryl Forté.</u> Chief Forté said Deputy Chief Masters is on special assignment as the Area Command Coordinator. This system will be deployed in some of the hotspot areas to improve accountability. He has also been charged with examining the performance and productivity of individual officers, however, this is not punitive. If problems arise, officers will be required to participate in additional training and guidance. Chief Forté said this project is data driven to make sure police are concentrating on areas that need the most attention.

While Deputy Chief Masters is on this special assignment, Major Jim Pruetting will assume the duties of the Administration Bureau commander. Tentatively, this particular plan will be in place until the end of August 2012, however, Chief Forté said he plans to continue this program.

Commissioner McInerney asked how this differs from what Major Ell and Major Harvey are doing. Chief Forté said Deputy Chief Masters will review data, and has been directed to develop a plan as the Area Command Coordinator. He will also assess the recovery of weapons.

Commissioner Wasson-Hunt asked about the timeline for Deputy Chief Masters' plan. Chief Forté said there is no timeline because he wants Deputy Chief Masters to get an accurate cross section of what is happening in Kansas City. The Chief said he chose Deputy Chief Masters because he has experience as commander in all of the bureaus, with the most tenure as a Deputy Chief, and he is willing to challenge the status quo. Major Pruetting will assume Deputy Chief Masters' duties in the interim. Chief Forté also stated that he is working with Jackson County Prosecutor Jean Peters Baker regarding an anti-crime strategy.

Commissioner Wasson-Hunt asked for an update in the near future. Chief Forté said an update on this program will be presented in July.

10. Administration Bureau.

Major Pruetting submitted the Personnel Summary dated April 30, 2012. Current department strength is 1,370 law enforcement personnel compared to

1,386 for this same time period in 2011. There are 570 civilians compared to 571 for the same time period 2011.

The new academy class started yesterday with 34 candidates—all for the KCPD plus 12 from outside agencies. Graduation of this new class will occur on December 13, 2012, while the current class will graduate on August 9, 2012.

11. Investigations Bureau.

a. <u>Crime summary</u>. Deputy Chief Randy Hundley stated that to date there have been 43 homicides compared to 33 for the same time period in 2011, with 18 solved.

Deputy Chief Hundley said 1000 cases have been presented to the prosecutor, and charges were filed on 781 of these.

With regard to drive-by shootings, there have been 20 in March 2012, as compared to 21 in February 2011.

The Cold Case Sex Crimes backlog disposition is currently at 1,481 cases in need of review.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for April 2012. This report is Attachment "A" and is made a part of these minutes.

A new Regional Criminalistics Division report was submitted listing the following categories: Monthly case output, backlog by section, AFIS hits, and CODIS hits for the months of March and April 2012. Director Linda Netzel provided an explanation of the categories.

Ms. Netzel recognized Ms. Jennifer Howard, DNA Technical Leader, for her excellent work applying for and obtaining a National Institutes of Justice,

Innovative Practices in DNA grant. Ms. Howard had the opportunity to travel to New Zealand and Australia to attend the National Institutes of Justice annual forensic science meeting, at which she presented a paper on some work being conducted by the KCPD lab. The primary reason for sending her to the meetings was to learn more about a new completely automated system used to extract DNA. Because of Ms. Howard's good work, the KCPD became the first case working lab in the country to incorporate this new DNA technology and processing.

Ms. Netzel said pay increases for lab personnel are very important for retention of these top notch employees.

Commissioner Brooks requested that Ms. Howard make a presentation to the Board on the topic of this new DNA technology. Director Netzel said she will arrange it.

Commissioner Wasson-Hunt requested that this new Regional Criminalistics Division report be submitted to the Board on a monthly basis.

Commissioner Brooks thanked Director Netzel and the crime lab for their good work in a recent Lee's Summit, Missouri, homicide case where the victim was burned.

Deputy Chief Hundley also submitted the First Quarter Homicide Analysis.

A copy of this report is maintained in the Investigation Bureau office.

12. <u>Patrol Bureau</u>.

Deputy Chief Cheryl Rose presented the Monthly Crime Summary for March 2012. This report is Attachment "B" to these minutes. Also submitted was

the April 2012, Traffic Summary which is marked as Attachment "C" to these minutes.

With regard to response times, Deputy Chief Rose advised that the response time goal was met 47 percent of the time. There were dramatic ups and downs in response times in some patrol divisions. Response time increased at Shoal Creek Patrol Division and this was due to staffing issues. Additionally, calls for service that require many officers to respond to the same call can increase response times for other calls because officers must be pulled from other patrol divisions to answer the other calls.

Deputy Chief Rose said that during the month of April 2012, there were nine fatal crashes compared to six during March 2012. Deputy Chief Rose submitted the first issue of a new quarterly fatality report, entitled "2012 First Quarter Fatality Report." This report was developed as a way to follow fatal accident trends. A copy of this report is maintained in the Special Operations Division Office.

Commissioner Wasson-Hunt asked if this data is provided to high schools.

Deputy Chief Rose said the Department receives grant money to present traffic safety programs to high school students.

With regard to the Plaza and the entertainment districts, Deputy Chief Rose there have been no major incidents so far this year. There have been some fights, but they have been broken up quickly. The new summer curfew will be implemented on May 25, 2012.

While referencing the 2012 First Quarter Fatality Report, Commissioner McInerney commented on the low number of revoked/suspended drivers who were involved in fatality accidents. He also asked if there are any records kept of revoked/suspended drivers involved in non-fatal accidents. Major Lockhart said no.

Commissioner Brooks asked about the disturbance that occurred in conjunction with two high school graduations that took place downtown and officers from East Patrol had to assist Central Patrol. Deputy Chief Rose said there were many off-duty officers working security at this event, however, a disturbance occurred and additional personnel were required.

The Board took a recess at 11:05 a.m. and resumed at 11:20 a.m.

- **13.** Professional Development & Research Bureau. Deputy Chief Higgins presented the following policies for approval.
- a. <u>Project #452, Procedural Instruction, Property Seizure and Forfeiture.</u>

 Deputy Chief Patty Higgins advised that this policy was examined per the mandatory five year review. It was reworded for clarity and had no significant changes. Commissioner McInerney asked what defines whether an operation is federal or KCPD, and who would be responsible for seizing the property. Captain Connelly advised that it depends on the lead agency is handling the case. If it leans toward being federal, the federal agents will recover the property. If it is an investigation that has been initiated by KCPD, the property will be forwarded to the prosecutor who may or may not forward the case to the federal agency.

A motion was made by Commissioner Brooks, with a second by Commissioner Wasson-Hunt to approve the revisions to the Procedural Instruction entitled Property Seizure and Forfeiture. The vote was 4-0 in favor.

b. Project #320, Procedural Instruction 04-3, Fiscal Procedures.

Deputy Chief Higgins said several changes were made addressing petty cash and clarification of grant procedures. Additionally, she said Board Resolution 11-01 affected this policy. Commissioner Wasson-Hunt had a question about the need to increase the spending limit authorizations. Deputy Chief Gallagher said it would simplify matters and reduce the amount of paper flow coming before the Board. Commissioner Wasson-Hunt said the benchmark in her industry is \$100,000, however, she is not necessarily opposed to raising it to \$125,000, but nothing higher.

Commissioner McInerney asked if the purchasing approval outlined in this policy includes guidance or rules about how the professional services of outside attorneys should be handled. The answer to the question was no. Commissioner McInerney said these issues should be addressed in this policy because the Department has utilized the assistance of outside counsel and the Department and the Board could use some guidance with respect to how to engage outside counsel, similar to guidelines offered for travel and food purchases. Commissioner McInerney requested additional time to review this policy.

This policy was tabled until the next regular Board meeting.

14. Executive Services Bureau.

a. <u>MOU-KCPD Internal Audit Unit at KCPCU</u>. Deputy Chief Gallagher presented a memorandum dated April 23, 2012, recommending approval of the MOU between KCPD and the Kansas City Police Credit Union. This MOU will allow the Internal Audit Unit office to be housed at the main branch of KCPCU located at 2800 E. 14th Street.

Commissioner Wasson-Hunt asked what prompted this move. Deputy Chief Gallagher said the police building at 1328 Agnes, which provides a police presence to the main branch, will eventually be razed and the credit union would like to keep a police presence at their facility so the credit union offered space to the Department. Additionally, the police department recently entered into an MOU with KCPCU allowing them office space at the new South Patrol Division so the credit union is reciprocating. Commissioner Wasson-Hunt asked Manager Tom Gee for his opinion about moving the Internal Audit Unit to the credit union. Manager Gee said he is neutral about the move.

Commissioner McInerney suggested a change to Section 2, to read "six months written notice" for consistency.

A motion was made by Commissioner Wasson-Hunt, with a second by Commissioner Brooks approving the MOU between KCPD and the KCPCU as amended. The vote was 4-0 in favor.

b. RFP #2010-11, Aviation Insurance. Deputy Chief Gallagher presented a memorandum dated May 7, 2012, recommending approval for the award of a contract to provide aviation insurance purchased from Corporate

Insurance Group, Inc., for aircraft hull physical damage and liability coverage for the new MD 500 E helicopters, for the quote of \$66,450 each for a total cost of \$199,350 including war coverage and terrorism risk. The contract period is from May 1, 2012 through April 30, 2013.

A motion was made by Commissioner McInerney, with a second by Commissioner Wasson-Hunt approving the contract with Corporate Insurance Group, Inc. to purchase helicopter insurance for a total cost of \$199,350. The vote was 4-0 in favor.

c. <u>Social Security Administration Cooperative Disability Investigations</u>

<u>Task Force Award</u>. Deputy Chief Gallagher submitted a memorandum dated May 9, 2012, recommending approval to accept this Social Security Administration award for the Cooperative Disability Investigations (CDI) Unit Task Force of up to \$352,000 for the period of October 1, 2012 through September 30, 2013.

A motion was made by Commissioner Wasson-Hunt, with a second by Commissioner McInerney accepting this award from the Social Security Administration of up to \$352,000 as presented. The vote was 4-0 in favor.

Agreement. Deputy Chief Gallagher submitted a memorandum dated May 9, 2012, recommending acceptance of an increase to the award from the Social Security Administration for the Cooperative Disability Investigations Funding Agreement (CDI). The award has been increased by \$25,000. This award is for the period of October 1, 2011 through September 30, 2012.

A motion was made by Commissioner Brooks, with a second by Commissioner Wasson-Hunt to accepting this award from the Social Security Administration in the amount of \$25,000 as presented. The vote was 4-0 in favor.

e. Budget transfers for fiscal year 2012-13.

Deputy Chief Gallagher submitted a memorandum dated May 9, 2012, outlining the details of these budget transfers. A copy of this memorandum is Attachment "D" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks approving the budget transfers as presented. The vote was 4-0 in favor.

In response to a previous question from Commissioner Brooks about the hiring of call takers and dispatchers, Manager Steve Hoskins from the Communications Unit, provided an update. He said Chief Forté approved the hiring of 14 new call takers, which has filled a portion of the 23 vacancies. Mr. Hoskins said new call takers go through four weeks of classroom training and an additional eight weeks of on-the-job training. After that it takes about 3-4 months before the new call takers are skilled enough to handle full call volume that will create a positive impact on the workload of other call takers.

Mr. Hoskins said the average time that caller may be on hold when calling 911 is 21 seconds. The average number of calls coming in to Communications per year is 800,000 to one million calls, with 500,000 to 600,000 of those being actual 911calls.

Mr. Hoskins said these employees are under a lot of pressure due to mandatory overtime and sometimes get no days off.

Commissioner Wasson-Hunt asked about the burn-out rate for this position. Mr. Hoskins said the burn-out rate is high, the average stay in this position is about five years and many employees transfer to other positions within the Department.

Commissioner Brooks asked about the cost of paying overtime as opposed to hiring new employees. Mr. Paul Kies, with the Budget Unit, will do some research into this and provide this information later. He said the average benefits paid Department wide is about 40 percent, so for every dollar paid out in salary, 40 percent is paid in benefits in addition to salary. Overtime is time, plus one-half.

Deputy Chief Gallagher said he had Ms. Kay White, the Department psychologist, interview employees to identify training issues to help develop employees. The Board asked to see the findings of her report. Chief Forté said he is not comfortable releasing these findings due to confidentiality issues. Commissioner Pelofsky said the Board will trust the Chief to provide them with things that need to be examined for policy changes, etc.

15. Major James Pruetting.

- a. <u>Title 17</u>. Major Pruetting asked that this item be tabled until a future Board meeting.
- **16.** Audit Committee update. Commissioner Wasson-Hunt said an Audit Committee meeting has not been held since February 21, 2012. Mr. Tom Gee

said he will have some completed audits to present and he will submit some possible dates for the next meeting.

17. <u>Fraternal Order of Police Lodge No. 99.</u> Officer Steve Miller has nothing to report at this time.

18. <u>Scheduled meetings</u>.

Regular Board Meetings:

Tuesday, June 26, 2012 9:00 a.m., 6th floor, Board room

Tuesday, July 17, 2012 9:00 a.m., 6th floor, Board room

Tuesday, August 28, 2012 9:00 a.m., 6th floor, Board room

Business Sessions:

Thursday, June 14, 2012 9:00 a.m., 6th floor, Board room

Tuesday, August 14, 2012 9:00 a.m., 6th floor, Board room

Board Hearing:

In the Matter of the Disciplinary Proceedings of: Police Officer Anthony Melkowski Tuesday, June 26, 2012 8:00 a.m., 6th floor Board room

19. Commissioner Patrick A. McInerney.

a. <u>Political activity resolution</u>. Commissioner McInerney recommended approval of new Board Resolution, No. 12-04, entitled Political Activities by KCMO Police Officers. This resolution rescinds Resolution 07-01.

A motion was made by Commissioner McInerney, with a second by Commissioner Brooks approving Board Resolution No. 12-04, entitled Political Activities by KCMO Police Officers.

Commissioner McInerney said he appreciated the plaque he received from the Board.

- **20.** <u>Commissioner Lisa Pelofsky</u>. Commissioner Pelofsky thanked Captain Joe Chapman and Sergeant Roy Murry of the Crimes Against Children Unit for their efforts on behalf of a father whose daughter was the victim of a parental abduction. The child was found out-of-state and the child was returned to the family last week.
- 21. <u>Commissioner Alvin Brooks</u>. Commissioner Brooks thanked Commissioner McInerney for his leadership and hard work.

A motion was made by Commissioner McInerney, with a second by Commissioner Brooks to adjourn the open session at 12:10 p.m. and go into closed session to discuss legal matters, employment matters, preparation for negotiations with employees and litigation matters. The vote was 4-0 in favor.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on March 22, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, May 22, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri, for the purpose of discussing legal matters, employment matters, preparation for negotiations with employees, and litigation matters.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Patrick McInerney - Aye Commissioner Lisa T. Pelofsky - Aye Commissioner Alvin Brooks - Aye Commissioner Wasson-Hunt - Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

The following votes were held on May 22, 2012, in a closed session (present were Commissioners McInerney, Brooks, Wasson-Hunt and Pelofsky).

- 1) Following a motion by Commissioner McInerney and a second by Commissioner Brooks, the Board voted to go into closed session to discuss legal matters, employment matters, preparation for negotiations with employees, and litigation matters. The vote was 4-0 in favor.
- 2) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the application for continued employment of Reserve Police Officer Chris Jefferson. The vote was 4-0 in favor.
- 3) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to adjourn. The vote was 4-0 in favor.

	President
Secretary/Attorney	